

FILED

UNITED STATES COURT OF APPEALS

JAN 30 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: WAL-MART WAGE AND HOUR
EMPLOYMENT PRACTICES
LITIGATION,

NANCY HALL; et al.,

Plaintiffs - Petitioners,

v.

WAL-MART STORES, INC.,

Defendant - Respondent.

No. 08-80101

D.C. Nos. 2:06-CV-00225-PMP-PAL
MDL-1735

District of Nevada,
Las Vegas

ORDER

Before: THOMAS and PAEZ, Circuit Judges, and EZRA,* District Judge.

The parties' agreed motion to stay proceedings and remand dated January 2, 2009, is GRANTED. Proceedings on the petition for permission to appeal are stayed and the case is remanded to the district court to allow effectuation of a settlement in accordance with Fed. R. Civ. P. 23(e).

This case is referred to the Ninth Circuit Mediator to monitor the settlement proceedings. The parties shall file a status report with the Circuit Mediator every

* The Honorable David A. Ezra, District Judge for the District of Hawaii, sitting by designation.

forty-five (45) days. The Circuit Mediator is directed to contact the parties to make arrangements for the form of the status report. The Circuit Mediator is also directed to apprise the panel of the case status.

In the event the settlement agreement does not become final, this stay order shall be vacated and the parties restored to their current posture in appellate proceedings before this Court.